

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SBI CRYPTO CO., LTD.,

Plaintiff,

v.

WHINSTONE US, INC.,

Defendant.

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CIVIL NO. 6:23-CV-00252-ADA

**ORDER ADOPTING MAGISTRATE
JUDGE’S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 27. The Report recommends that this Court deny Defendant Whinstone US, Inc.’s Motion to Dismiss Plaintiff’s Amended Complaint. The Report and Recommendation was filed on October 25, 2023.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996)).

Plaintiff filed objections on November 8, 2023. ECF No. 28. The Court has conducted a *de novo* review of the motion to dismiss, the responses, the report and recommendation, the objections

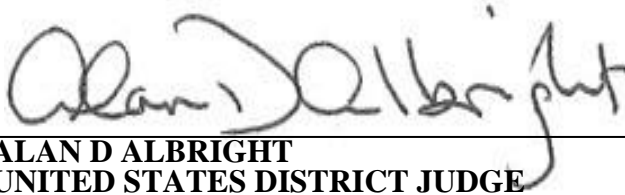
to the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Manske, ECF No. 27, is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant's objections are **OVERRULED**.

IT IS FINALLY ORDERED that Defendant's Motion to Dismiss (ECF No. 12) is **DENIED**.

SIGNED this 9th day of November, 2023.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE